

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTONIETTA ZAPPIER, :
Plaintiff, : Case No.: 22-cv-06709 (PMH)
: :
-against- : NOTICE OF MOTION
: :
PROJECT VERITAS and MICHAEL SPADONE :
: :
Defendants. :-----X

PLEASE TAKE NOTICE that upon the Declaration of Justin T. Kelton, dated January 20, 2023, and the exhibits annexed thereto, and Defendants' Memorandum of Law in Support of their Motion to Dismiss, the Defendants Project Veritas and Michael Spadone ("Defendants") will move this Court, on a date to be determined by the Court, before the Honorable Phillip M. Halpern, United States District Court Judge, at the United States District Court, Southern District of New York for an Order: (i) dismissing the First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6) and/or to striking material that is irrelevant, immaterial, impertinent, or scandalous pursuant to Fed. R. Civ. P. 12(f); and (ii) for such other and further relief as the Court may deem just, proper, and equitable under the circumstances.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Order dated December 14, 2022, any opposition shall be served by February 20, 2023, and any reply shall be served by March 6, 2023.

Dated: January 20, 2023

ABRAMS FENSTERMAN, LLP

/s/ Justin T. Kelton

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